



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

MEMORANDUM

#3

DATE: May 10, 1984

TO: Bob Kuykendall - Bill Seltzer

FROM: P. M. McCarthy and P. C. Mann

RECEIVED

MAY 14 1984

E.P.A. - D.L.P.C.
STATE OF ILLINOIS

SUBJECT: LPC 11780201 - Macoupin County - Brighton/Brighton #1
LPC 11780203 - Macoupin County - Brighton/Brighton #2

The violations at this facility are quite involved. One problem causes or affects another. The following is a summary discussion of some of the major violations, and a recommendation for enforcement.

The Agency Permit #1979-8-OP, which was modified by Supplemental Permit #1982-69 on June 21, 1982 allows, in part, for the increase in fill invert and final contour elevations. Basically, they were permitted to dig much deeper and then push the previously area filled waste into the new excavation. However, the excavation has never been completed, which causes several problems:

- 1) the area fill has exceeded permitted elevation contours by approximately 15 feet and
- 2) the excavation collects water and leachate, which prevents cover acquisition and application.

Essentially, the excavation area has become a runoff collection system for part of the site. The site has no program for testing and discharging the water, nor a NPDES permit. Other parts of the site discharge leachate, with no attempt of containment. Also the "north slope" continues to generate leachate as it has since at least 1975. The only attempt to control the northern slope is to add cover and most recently, the construction of an irregularly shaped and uncompacted berm.

On the May 5, 1984 inspection it was also determined that the northern excavation area is north of the permitted area. This creates the potential for them also having filled outside their lateral boundaries.

Another significant violation is that they do not consider the entire acreage as the hazardous site. This affects security, runoff control, closure etc. Also, no attempt is made to document the location of the waste in the landfill as required in 725.409(a) & (b).

A CIL was sent to the facility on April 16, 1984. We received a response on April 25, 1984, which necessitated the May 4, 1984 inspection. The major violations remain. We then held a Pre-Enforcement Conference on May 8, 1984, which was called concerning the Subpart F violations. They failed to satisfy those violations. We also discussed the violations included in the April 16, 1984 CIL. No significant progress was realized there either. When the meeting ended, no formal course of action was established. The site's attorney, Mr. Prillaman, stated that he would send a second response to the April 16, 1984 CIL by the end of May.



Brighton/Brighton

-2-

May 10, 1984

Considering the intent of the Compliance and Enforcement Logs, the serious nature and number of significant violations, the previous history of the site and the disregard shown for the Operating Permit, we do not agree that enforcement should be delayed. Based on the outcome of the May 8, 1984 meeting, we recommend that an Enforcement Notice Letter be sent to the facility incorporating all violations. Also, we urge that a USEPA Administrative Order be drafted immediately, for both Subpart F and other Interim Status Standard violations.

PMM:PCM:jlr

cc: Division File ✓
Southern Region
Tom Cavanagh
Gary King
Mark Haney

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MAY 14 1984

EPA — D.L.P.C.
STATE OF ILLINOIS